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SPARTANBURG COUNTY

2019 JAN 10 AM 9:48

State of South Carolina  
South Carolina Supreme Court  
General Sessions Court  
Spartanburg County

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C/A. 2012-CP-42-4651

Carnie Norris

Petitioner

VS.

State of South Carolina

Respondent

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Petitioner's Pro-Se Motion

For Bond Pursuant to

S.C. Const. Article 1 Sec. 14

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**RECEIVED**

JAN 23 2019

S.C. SUPREME COURT

**RECEIVED**

JAN 23 2019

SC Court of Appeals

Now placed before the Chief Administrative Judge for the Seventh Judicial Circuit, Pro-Se Petitioner Carnie Norris is requesting a bond, in the interest of justice. The petitioner in the above entitled case respectfully request to invoke his right to file pro-se in this bond petition because Article 1 Sec. 14 of the South Carolina Constitution guarantees the petitioner to be fully heard in his defense by himself or by his counsel or both. The right to avoid unreasonable delay in the appellate process (PCR) is similar to the right to a speedy trial, see Burkett 11, 951F. 2d at 1445-46 (holding that delay in adjudicating an appeal, which infringes on due process rights, is effectively no different than delay in imposing a sentence, which infringes on Sixth Amendment speedy trail rights. See Baker V. Wingo. 407 U.S. at 530, 92 S. Ct. at 2191.

This petition now comes before this Honorable Circuit Court by way of post-Conviction relief application filed November 7, 2012 in the Spartanburg County Clerk office. An evidentiary was held on September 15, 2014 at the Spartanburg County Courthouse before the Honorable

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Roger L. Couch, in which the petitioner's conviction and sentence was vacated and his charge of armed robbery was removed back to General Sessions Court for a new Trial on September 17, 2017. The petitioner was present at the hearing and was represented by Broudt Rucker Esquire, and Suzanne H. White of the South Carolina Attorney General's office represented the Respondent. The Honorable Couch grants the petitioner relief on a Sixth Amendment violation pursuant to the U.S. Constitution.

The Respondent did not appeal or challenge such order in granting a new trail in a timely manner. Based on such order [attached] of granting the petitioner a new trail, the petitioner is now motioning this Honorable Court of the Seventh Judicial Circuit, for a bond pursuant to South Carolina Constitution Article 1 Sec. 15, which is applicable to the Eighth Amendment of the U.S. Constitution. Petitioner respectfully would show this Honorable Court through the procedural history that the Respondents have caused an inordinate an inexcusable delay in failing to hear the petitioner's case in a timely manner for some unknown reason. The petitioner was found guilty by a jury on July 9, 2009, before the Honorable J. Derhan Cole in the General Sessions Court, and sentenced to Twenty Eight (28) years for armed robbery. Petitioner's Direct Appeal was denied on April 18, 2012 by the South Carolina Court of Appeals.

A Post Conviction Relief hearing was held on behalf of the petitioner before the Honorable Roger L. Couch on September 15, 2014. The Order granting the petitioner relief was signed on September 6, 2015 and the date was changed to September 6, 2017, for some unknown reason. See attached order. As of date, attorney of record Brandt Rucker stated that a 59(e) motion was denied by Judge Couch, who presided over the PCR hearing. As of date, the allege 59(e) motion that was filed by the Attorney General have not been filed or processed in the



Ms. Mary Norris  
 305 Foxborough Rd  
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