

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

Appeal from Charleston County  
Court of Common Pleas

ROGER M. YOUNG, SR. Chief Administrative Judge

Case No. 2018-CP-10-2494

STATE OF SOUTH CAROLINA..... RESPONDENT.

v.

CHAUNCEY E. ORR..... APPELLANT.

NOTICE OF APPEAL/RULE 59 (E)

Chauncey E. Orr Appeals the Final Order (Judgement) of the Honorable Roger M. Young Sr., Dated May 23<sup>rd</sup>, 2019. Appellant received written notice of entry of this Final Order (Judgement) on May 30<sup>th</sup>, 2019.

Chauncey E. Orr

Chauncey E. Orr, #177069  
Perry Correctional Institution  
430 Oak Lawn Rd. Q2A-117  
Pelzer, South Carolina 29669

CC: Julie J. Armstrong, C.C., C.P., G.S.  
Benjamin H. Limbaugh, AAG  
Jenny A. Kitchinos, SCCA

Sworn to and Subscribed before me.  
This 7<sup>th</sup> day of June 2019.  
Nancy C. Marshall  
Notary Public

My Commission Expires: 1-23-2021

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SC Court of Appeals

STATE OF SOUTH CAROLINA  
COUNTY OF CHARLESTON  
IN THE COURT OF COMMON PLEAS

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JUN 11 2019

SC Court of Appeals

CHAUNCEY E. ORR, #177069

Applicant,

V.

STATE OF SOUTH CAROLINA

Respondent,

ROGER M. YOUNG, SR. CHIEF ADMINISTRATIVE JUDGE

CASE No. 2018-CP-10-2494

NOTICE OF APPEAL / RULE 59(e)

Chauncy E. Orr the Applicant is requesting pursuant to the Notice of appeal of the final Order, Dated May 23rd, 2019; And received May 30th, 2019. An Explanation is being provided as to why this determination was improper.

- (1) TO be exact it was approximately thirteen months after the filing of the last Post-Cconviction Relief Application, And therefore could not have filed this previous application, Before the discovery of said Evidence.
- (2) To have each issue ruled upon independently, Pursuant to Rule 59(e); Which would preserve these issue's for Appellate review.
- (3) Pursuant to Rule 17-27-45 (c), Which is the ACTUAL DISCOVERY OF EVIDENCE. And therefore the Newly Discovery of Evidence would make this rule erroneous. Because the issue is not Newly Discovery of Evidence. But ACTUAL DISCOVERY OF EVIDENCE.
- (4) It would be impossible to meet the Statutory filing deadline of One (1) Year; if the issue was not available. You can have the best research team; Even with reasonable diligence. But if it was not there, Which would make it available. How would this make the applicant responsible for it not being there.
- (5) Pursuant to the mere fact that the Applicant was/is EXCLUSARLY IGNORANT, And it's being stated within this ruling above. Which is indicating that the Attorney's who was involved in the conviction/sentence/Post-conviction, was therefore ineffective assistance of Trial/PCR Counsel's. ALL I'm seeking is my full bite of the Apple.

C.C.:

(2)

STATE OF SOUTH CAROLINA..... RESPONDENT,  
V.  
CHAUNCEY E. ORR..... APPELLANT.

PROOF OF SERVICE

I Certify that I have served the Notice of Appeal on Benjamin H. Limbaugh, AAG, Jenny A. Kitchings, SCCA, Julie J. Armstrong, Clerk, C.P. & G.S.; by depositing a copy of it in the United States Mail, Postage Prepaid June 7<sup>th</sup>, 2019, addressed to AAG, Benjamin H. Limbaugh, Esq.; Post Office Box 11549 Columbia, South Carolina, 29211-1549. Jenny A. Kitchings, SCCA, Clerk; Post Office Box 11629 Columbia, South Carolina, 29211. Julie J. Armstrong, Clerk, C.P. & G.S., 100 Broad Street, Suite, 106, Charleston, South Carolina, 29401-2258.

131 Chauncey E. Orr ✓  
Chauncey E. Orr, #177069  
Perry Correctional Institution  
430 Oak Lawn Rd. Q2A-117  
Pelzer, South Carolina, 29669

Sworn to and Subscribed before me.

This 7<sup>th</sup> day of June, 2019.

Gary C. Marchant  
Notary Public

My Commission Expires: 1-23-2023

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JUN 11 2019

SC Court of Appeals

(3)

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P.C.I. MAILROOM

South Carolina Court of Appeals  
Jenny Abbott Kitchings, Clerk  
Post Office Box 11629  
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