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MAY 21 2020

S.C. SUPREME COURT

IN THE SUPREME COURT OF THE  
STATE OF SOUTH CAROLINA

Gary Z. Thomas,

Applicant/Appellant,

State of South Carolina,

Respondent.

Case No. \_\_\_\_\_

MOTION FOR  
EMERGENCY REVIEW

COMES NOW the Applicant/Appellant and hereby respectfully requests that this honorable Court grant an emergency expedited review of the Order of Dismissal, denying Applicant clearly entitled Post Conviction Relief.

Applicant submits that he was entitled to relief on April 16, 2019, but the State has needlessly and frivolously delayed proceedings thus far.

Applicant further submits that the Order of Dismissal represents (1) the State and the PCR Court's legal position on Applicant's entitlement to relief and (2) the State's assessment of facts and testimony presented to the PCR Court on October 22, 2019.

Applicant submits that transcripts of proceedings are not necessary to review and reverse the Order in question.

Applicant further submits that the first question presented in the Amended Motion to Amend/Alter Judgment, if answered, clearly validates Applicant's claim of ineffective assistance of counsel and the entry of his involuntary and unintelligent guilty plea.

Applicant further submits that the Order of Dismissal itself establishes that Applicant has proven both ineffective assistance of counsel and involuntary guilty plea as illustrated in Applicant's Amended Motion to Amend/Alter Judgment.

In light of the current COVID-19 crisis that has infiltrated the South Carolina Department of Corrections, this misdemeanant Applicant respectfully prays for emergency review of the Order of Dismissal, the reversal of which would result in Applicant's release from incarceration and the risk of contracting COVID-19.

In the event that emergency expedited review is denied, Applicant would respectfully request appointment of Counsel.

Signed this 15th day of May, 2020.

Respectfully submitted.



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