

JAMJAEI

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM THE NEWBERRY COUNTY COURT OF GENERAL SESSIONS

The Honorable Donald B. Hocker, Chief Admin. Judge

Case No: #2013-GS-36-00498, & 00500.

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JUL 15 2020

SC Court of Appeals

MARIO V. - GONZALEZ HERNANDEZ, #361963,

Petitioner,

v.

STATE OF SOUTH CAROLINA,

Respondent,

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NOTICE OF AN BELATED APPEAL

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Petitioner, Mario Valerio- Gonzalez Hernandez, #361963, hereby move to file his "Notice of an Belated Appeal", from an Order denying the Petitioner's Application for Forensic DNA Testing filed with the Court of General Sessions, in the Eighth Judicial Circuit for Newberry County. The Honorable Donald B. Hocker, Chief Administrative Purposes, Judge, denied the case on May 7th, 2020, and ordered the State to served an copy of the order upon the Petitioner. The State and the appointed counsel Charles Verner, of the Newberry County Public Defenders Office, failed to serve an copy of the Order. Counsel was assigned to the case by Judge Hocker, on November 22nd, 2019, Petitioner, never spoke to or received any response back from Counsel in regards to his case. On March 3rd, 2020, counsel for the Petitioner, and Assistant Solicitor Taylor Daniel appeared before the Court to brief the status of this matter to the Court. Petitioner, was neither made aware of such an hearing nor was allowed to be present at the hearing due to COVID-19. The actions of both the State and Counsel Charles Verner, was indeed very prejudicial to the constitutional rights of the Petitioner. Petitioner files his belated appeal in pursuant to the South Carolina Appellate Court Rules, Rule#247 Certiorari to Review DNA Testing Decisions and Court's Order of Dismissal signed on May 7th, 2020. Petitioner is requesting appointment of Appellate Defense.

Dated: 7-13-20, 2020

Respectfully submitted,

1/s/ Gonzalez Hernandez

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STATE OF SOUTH CAROLINA,

Respondent,

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PROOF OF SERVICE

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I, Mario Valerio- Gonzalez Hernandez, #361963, hereby certify that I have served an true copy of the Petitioner's Notice of Belated Appeal, on the following parties: Elizabeth P. Folk, Clerk of Court, for Newberry County, P.O. Drawer 10, Newberry S.C. 29108, Ms. Taylor Daniel, Asst. Solicitor, for Eighth Judicial Circuit Solicitor's Office, Newberry County Judicial Center, P.O. Drawer 10, Newberry, S.C. 29108, on this 13 day of July, 2020.

Respectfully submitted,

/s/ Gonzalez Hernandez  
Mr. Mario V.- Gonzalez Hernandez, #361963  
ACI. Colleton Unit F-1 B#30  
P.O. Bcx 1151  
1057 Revolutionary Trail Hwy47  
Fairfax, S.C. 29827

Mr. Mario Valerio-Gonzalez Hernandez #361963

ACI. ~~Collection~~ Unit F-1 B#38

P.O. Box 1151

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Fairfax, S.C. 29827

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SC Court of Appeals

The Honorable Jenny A. Kitchings  
Clerk of Court, S.C. Court of Appeals

P.O. Box 11629

Columbia, S.C. 29211

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