

RECEIVED

IN THE SOUTH CAROLINA COURT OF APPEALS

MAY 17 2021
SC Court of Appeals

MARCUS A JOSEPH 147764

PETITIONER

v

STATE OF SOUTH CAROLINA
ET AL RESPONDENTS

MOTION TO VACATE

CONVICTION & SENTENCE

NOW HERE COMES THE PETITIONER WHO HEREBY STATES AND MOVES BEFORE THIS COURT FOR AN ORDER VACATING HIS CONVICTION AND SENTENCE BECAUSE THE COURT LACKED SUBJECT MATTER JURISDICTION BECAUSE THE INDICTMENT IN THIS CASE WAS A NULLITY

LACK OF SUBJECT MATTER JURISDICTION

THE PETITIONER HEREBY STATES THAT THE COURT ON JUNE 7TH 1988 DID NOT HAVE SUBJECT MATTER JURISDICTION TO ACCEPT PLEA OR SUBJECT MATTER JURISDICTION OF THE CHARGE BECAUSE THERE WAS NO INVOCATION OF THE COURT POWER BY THE CORONER BY HOLDING A PRELIMINARY EXAMINATION AND AN "INQUEST" AS PROVIDED BY THE PROVISION OF 17-7-20 BY SUMMONING A JURY AS REQUIRED BY 17-7-120 THE THE JURY MUST RENDER THEIR FINDINGS AND VERDICT TO THE CORONER IN WRITING PURSUANT TO THE PROVISION OF 17-7-240. THE THE CORONER "MUST FILE" THE RETURN OF THE INQUISITION AND EVIDENCE WITH THE CLERK OF COURT AS PROVIDED BY CRIMINAL PROCEDURE 17-7-310. THERE WAS NO INQUEST AND THE CORONER DID NOT FILE AN INDICTMENT WITH THE CLERK OF COURT TO INVOKE THE COURTS SUBJECT MATTER JURISDICTION SEE STATE V CROCKER 366 SC 394 AND THE DOCUMENTS ARE NOT PROPER IN FORM

LACK OF COMPETENT JURISDICTION

THE PETITIONER FURTHER STATES THAT AN ERROR OF LAW TOOK PLACE DENYING AND DEPRIVING THE CIRCUIT COURT OF COMPETENT JURISDICTION IN THAT THE COURT EXERCISE PERSONAL JURISDICTION OVER THE PETITIONER AND PUNISH HIM WHEN AS A MATTER OF LAW LACKED THE AUTHORITY TO DO SO BASED UPON THE FACT THAT THE RECORD WOULD REFLECT THE GRAND JURY WAS SUMMONED AND IMPANANELLED ON THE BASIS OF THE MAGISTRATES WARRANT. IN VIOLATION OF ARTICLE 5§11 THEREFORE THE GRAND JURY LACK JURISDICTION OF THE CASE. AND THE INDICTMENT WAS A NULLITY SC CONST ART 1E11 STATE V FUNDERBURK 259 SC 256

THE PROVISION OF STATE STATUTE AND THE LITERAL TERMS OF 17-7-20 CONFER THE DUTY UPON THE CORONER TO DECIDE FOR HIMSELF WHETHER THERE OUGHT TO BE A TRIAL.

THERE WAS NO INQUEST IN THIS CASE AND BASED UPON INFORMATION AND BELIEF A BURIAL PERMIT HAD ALREADY BEEN ISSUED AND ALL FURTHER INQUIRY WAS TO BE DISPENSED WITH, THEREFORE THE PETITIONER WAS IMMUNE FROM PROSECUTION

THE PETITIONER FURTHER ADS THAT THE JURISDICTION OF THE GRAND JURY IS CO-EXTENSIVE WITH THE CRIMINAL JURISDICTION OF THE COURT AND THERE CAN BE NO CONVICTION OR PUNISHMENT OF A CRIME WITHOUT A FORMAL CHARGE AND SUFFICIENT ACCUSATION AND THE COURT CAN ACQUIRE NO JURISDICTION TO TRY A PERSON FOR A CRIMINAL OFFENSE UNLESS HE HAS BEEN CHARGED WITH THE COMMISSION OF THE PARTICULAR OFFENSE AND CHARGED IN THE PARTICULAR FORM AND MODE REQUIRED BY LAW, IF THAT IS WANTING HIS TRIAL AND CONVICTION IS A NULLITY STATE V UNDERBURY 259SC256

THE RECORD WOULD REFLECT THAT THE INDICTMENT IN THIS CASE WAS PREPARED BY THE 'SOLICITOR' ON THE BASIS OF A MAGISTRATE'S WARRANT THEREFORE THE CIRCUIT COURT DID NOT HAVE JURISDICTION OF THE CAUSE AND OF THE PETITIONER BECAUSE BOTH THE MAGISTRATE AND SOLICITOR ARE MEMBERS OF THE 'EXECUTIVE BRANCH' OF STATE GOVERNMENT AND THEIR ACTIONS VIOLATED THE SEPERATIONS OF POWERS DOCTRINE OF SOUTH CAROLINA CONSTITUTION 1 § 8

SOUTH CAROLINA CONSTITUTION MANDATES THAT THE LEGISLATIVE, EXECUTIVE, AND JUDICIAL POWERS OF GOVERNMENT SHALL BE FOREVER SEPERATE AND DISTINCT FROM EACH OTHER AND NO PERSON OR PERSONS EXERCISING THE FUNCTION OF ONE OF SAID DEPARTMENTS SHALL ASSUME OR DISCHARGE THE DUTIES OF ONE ANOTHER. IN THE ARTICLE CREATING THE JUDICIAL DEPARTMENT SC CONST ARTICLE 5 § 24 PROVIDES THAT THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW FOR THEIR DUTIES TO THAT END SECTION 1-1-110 OF THE SOUTH CAROLINA CODE (2005) PLACE SOLICITORS IN THE EXECUTIVE BRANCH

BASED UPON THE FOREGOING THE "JUDICIAL" POWERS OF THE CIRCUIT COURT WAS NOT PROPERLY INVOKED BY THE STATE SO AS TO CONFER JURISDICTION UPON THE COURTS AND AS SUCH DENIED AND DEPRIVE THE PETITIONER OF LIBERTY WITHOUT DUE-PROCESS OF LAW

COMPETENT JURISDICTION OF THE CAUSE AND OF THE PETITIONER WAS LACKING BECAUSE THE PROCEEDINGS IN THIS CASE WAS INITIATED BY AN ARREST WARRANT ISSUED BY ANELLE G POWELL "A MAGISTRATE" WHEREIN THE PETITIONER WAS ARRESTED, SEIZED, AND CONFINED ON THE BASIS OF SUCH AN VIOLATION OF USCA 4

THIS DENIED AND DEPRIVE THE CIRCUIT COURT OF ITS ORIGINAL AND EXCLUSIVE JURISDICTION SEE SC CONST ART 5 § 11 AND STATE STATUTE 17-19-40 STATE V DUDLEY 614 SE 2d 623 625 (2005)

THE PETITIONER WAS UNCONSTITUTIONALLY CHARGE WITH MURDER BECAUSE THE WARRANT WAS INVALID. A MAGISTRATE DOES NOT HAVE JURISDICTION IN CASES OF MURDER THIS VIOLATES SC CONST ART 1 § 3.1810 USCA 4 § 14 PERSONAL JURISDICTION WAS LACKING BECAUSE THERE WAS NO WARRANT OF ARREST ISSUED OR FILED WITH THE CLERK OF COURT BY THE CORONER IN ACCORDANCE WITH THE PROVISION OF 17-7-610 OF THE CRIMINAL PROCEDURE.

A FAIR READING OF STATE STATUTE 17-25-10 REQUIRES THE COURT TO HAVE NOT ONLY JURISDICTION OF THE CAUSE BUT ALSO JURISDICTION OF THE PERSON AND A FAILURE TO DO SO PRECLUDES A COURT FROM IMPOSING PUNISHMENT ON A DEFENDANT. IN AS MUCH AS NO INDICTMENT OR WARRANT WAS FILED AGAINST PETITIONER BY THE APPROPRIATE COURT. THE PETITIONER'S CONFINEMENT IS IN VIOLATION OF THE CONSTITUTION AND LAWS AND TREATIES OF THE UNITED STATES AND THE PETITIONER WAS DENIED AND DEPRIVED OF LIBERTY WITHOUT DUE PROCESS OF LAW IT ALSO VIOLATES THE SEPERATION OF POWERS DOCTRINE OF SOUTH CAROLINA CONSTITUTION ARTICLE 1 CLAUSE 8 AND THE COURT LACKED BOTH SUBJECT MATTER AND COMPETENT JURISDICTION HAVING MADE THIS PETITION THE PETITIONER REQUEST THAT SUCH RELIEF BE GRANTED WITHIN THE INTEREST OF JUSTICE BY VACATING HIS CONVICTION AND SENTENCE

RESPECTFULLY SUBMITTED
MARCUS A JOSEPH 147764
PETITIONER

THE PETITIONER FURTHER STATES THAT HIS IS INVALID AND THAT HE WAS DENIED AND DEPRIVE OF LIBERTY WITHOUT DUE PROCESS OF LAW BECAUSE THERE WAS NO INDICTMENT THAT STATED THE OFFENSE WITH SUFFICIENT CERTAINTY THAT CONFORM TO THE NOTICE REQUIREMENT OF SOUTH CAROLINA CONSTITUTION AND THE UNITED STATES CONSTITUTION USCA CONST AMEND 14 CODE 1976 19-19-20 TO WARRANT HIS CONVICTION FOR MURDER.

ACCORDING TO THE LEGISLATIVE ENACTMENT OF STATE STATUTE 17-19-30 WHICH DEALS WITH ALLEGATIONS SUFFICIENT FOR INDICTMENT STATES IN ITS "MANDATORY LANGUAGE" THAT "EVERY INDICTMENT FOR MURDER SHALL BE DEEMED GOOD AND SUFFICIENT IN LAW WHICH IN ADDITION TO SETTING FORTH THE TIME AND PLACE TOGETHER WITH A PLAIN STATEMENT DIVESTED OF ALL USELESS PHRASEOLOGY OF THE MANNER IN WHICH THE DEATH OF THE DECEASE WAS CAUSED "CHARGES THAT THE DEFENDANT DID FELONIOUSLY, WILLFULLY AND OF HIS MALICE AFORETHOUGHT 'KILL' AND 'MURDER' THE DECEASE.

IN INTERPRETING A STATUTE THE LANGUAGE OF A STATUTE MUST BE READ IN A SENSE THAT HARMONIZES WITH ITS SUBJECT MATTER AND ACCORDS WITH ITS GENERAL PURPOSE

THE SUBJECT MATTER OF THIS CASE IS "MURDER" AND THE UNAMBIGUOUS TERMS IN THE STATUTE REQUIRES THAT AN INDICTMENT FOR MURDER MUST CONTAIN THIS LANGUAGE TO BE DEEM SUFFICIENT AND GOOD IN LAW AND ALSO TO MEET THE NOTICE REQUIREMENT THAT MUST BE CONTAIN IN AN INDICTMENT WHICH IS A COMPONENT OF DUE-PROCESS THAT IS ACCORDED EVERY CRIMINAL DEFENDANT USCA 14

THE INDICTMENT THAT THE PETITIONER PLED GUILTY TO DOES NOT CONTAIN THIS LANGUAGE AND AS WRITTEN WAS INSUFFICIENT TO SUPPORT THE GUILTY PLEA AND CONVICTION OF PETITIONER.

IN BROWNING V STATE 320 SC. 366. 465 SE 2d 358
1995) THE COURT HELD THAT AN INDICTMENT MUST
STATE THE OFFENSE WITH SUFFICIENT CERTAINTY
TO ENABLE THE COURT TO KNOW WHAT JUDGEMENT
TO PRONOUNCE AND THE DEFENDANT TO KNOW WHAT
HE IS CALLED UPON TO ANSWER.

FURTHERMORE ONE CANNOT INFER THE ELEMENTS
OF AN OFFENSE FROM THE CAPTION OF THE INDICT
MENT

IN STATE V LARK 64 SC 350, 353 42 SE 175 176-77
FINDING THE CAPTION OF THE INDICTMENT CANNOT
BE USED TO EXPAND OR CONTRACT THE ALLEGATIONS
BECAUSE IT IS NOT PART OF THE FINDING OF THE
GRAND JURY

IN THE PRESENT CASE THE COURT AND THE STATE
IS SUPPORTING THE PETITIONERS CONVICTION BY REL
YING ON A 'CAPTION' TO THE EXCLUSION OF THE LA
NGUAGE CONTAIN IN THE BODY OF THE INDICTMENT
IN VIOLATION OF STATE V TABORY 262 SC 136, 202
SE 2d 852 (1974)

ALL THAT SHOULD BE EXAMINED IN THIS PARTICULAR
SITUATION IS THE ACTUAL "BODY OF THE INDICTMENT"
ITSELF TATE V STATE 345 SC 577, 581, 549 SE 2d
601, 603 (2001)

VIEWING THE BODY OF THE INDICTMENT THE IND
ICTMENT AS WRITTEN ONLY CHARGE "VOLUNTARY MAN
SLAUGHTER"

IT DOES NOT CHARGE IN THE BODY OF THE INDICTM
ENT THAT PETITIONER "MURDERED" THE DECEASE AND
DO NOT REFERENCE A "STATUTE" SEE INDICTMENT

THEREFORE PETITIONER WAS CONVICTED FOR AN OFFENSE
NOT INDICTED FOR UPON INFORMATION OF THE SOLICITOR
INSTEAD OF AN INDICTMENT OR PRESENTMENT OF A GRAND
JURY

HAVING MADE THIS PETITION, THE PETITIONER REQUEST
THAT HIS CONVICTION AND SENTENCE BE VACATED

RESPECTFULLY SUBMITTED
MARCUS A JOSEPH 147764

copy
this
side

CLAREN

COUNTY OF Clarendon

AFFIDAVIT

Personally appeared before me, judge of the Court, one H. M. Turbeville
who being duly sworn, deposes and says that Marcus A. Joseph (name of defendant) did within this County
and State on March 18 19 87, violate the criminal laws of the State of South Carolina [or ordinance of the municipality
of or about] in the following particulars:

DESCRIPTION OF OFFENSE

Murder- Common Law and Code Section 16-3-10 of the 1976 SC Code of Laws

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that such probable cause is based on the following facts:

That on or about March 18, 1987 in the early evening hours Marcus A. Joseph did,
with malice aforethought, shoot and kill one Alfred Cole. The defendant used a
Colt 357 Magnum, which was found at the scene. This offense occurred at the 130
milemarker in the northbound lane of Interstate 95 in Clarendon County, South Carolina.
The defendant has admitted that he committed this crime and has given an full, written
statement to the Clarendon County Sheriff's Dept. and the South Carolina Law Enforcement
Division.

0000013

Sworn to and Subscribed before me,
This 23 day of December, 19 87

X H. M. Turbeville
Signature of Affiant

[Signature] (L.S.)
Signature of Issuing Judge

Address Clarendon County Sheriff's Dept's
Manning, SC

Phone: 435-4414

Address Judicial Annex
Manning, S. C. 29102
Phone: 435-8925

CERTIFIED TRUE COPY
OF ORIGINAL FILED IN THIS OFFICE
DATE 11/13/2015
[Signature]
CLERK OF COURT
CLARENCON COUNTY, SC

STATE OF SOUTH CAROLINA ARREST WARRANT

COUNTY OF Clarendon

[or MUNICIPALITY OF _____]

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE, COUNTY OR MUNICIPALITY, OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that Marcus A. Joseph
(name of defendant) did on or about 3-18 19 87, violate the criminal laws of the State of South Carolina [or ordinance
of the municipality of _____] as set forth below:

DESCRIPTION OF OFFENSE

Murder - Common Law and Code Section 16-3-10 of the 1976 SC Code of Laws

Now, therefore, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable.

Done at Manning, S.C.
on December 23, 19 87

[Signature] (L.S.)
Signature of Judge

Form Approved by
S.C. Attorney General
May 13, 1983

FORM CONTINUES ON BACK
ORIGINAL

Annelle G. Powell

SHERIFF'S DEPT./SLED

Buck Turbeville

Gary Martin

Mike Gandy

B 863573 thru B 863576

2-4-88

Verdict

Foreman

COURT OF GENERAL SESSIONS

MARCH Term, 1988

THE STATE

VS.

MARCUS A. JOSEPH

INDICTMENT FOR

MURDER, ARMED ROBBERY, POSSESSION OF WEAPON DURING VIOLENT CRIME & ACCESSORY BEFORE THE FACT

Tone Bill

J. D. Harrison
Foreman of Grand Jury

W. C. W. PRINTERS

COLOMBIA, S. C. 29206

CERTIFIED TRUE COPY OF ORIGINAL FILED IN THIS OFFICE

DATE 11/3/2015

Paul H. Roberts

CLERK OF COURT CLARENDON COUNTY, SC

CLARENDON COUNTY MAGISTRATE
P. B. HARVIN, JR., CHIEF
POST OFFICE BOX 371
102 SOUTH MILL STREET
MANNING, SOUTH CAROLINA 29102

FEBRUARY 20, 2015

MARCUS A. JOSEPH 147764
KIRKLAND CORRECTIONAL INSTITUTION
4344 BROAD RIVER RD.
COLUMBIA, SOUTH CAROLINA 29210
UNIT F2B241

RE: WARRANT #B883573

Dear Mr. Joseph:

Your letter requesting information regarding the above warrant was received by this office today.

This office does not handle Indictments, Coroner Inquiries, Death Certificates or matters relating to the Grand Jury. You were correct in your final statement in your letter that "...Magistrates do not have jurisdiction in cases of murder."

Sincerely,


P. B. Harvin, Jr.,
Chief Magistrate

EXHIBIT 4

SECTION 17-7-20. Requirement of preliminary examination before formal inquest; issuance of burial permit, conclusion of inquiry or formal inquest.

Whenever a body is found dead and an investigation or inquest is deemed advisable the coroner or the magistrate acting as coroner, as the case may be, shall go to the body and examine the witnesses most likely to be able to explain the cause of death, take their testimony in writing and decide for himself whether there ought to be a trial or whether blame probably attaches to any living person for the death, and if so and if he shall receive the written request, if any, required by Section 17-7-50, he shall proceed to summon a jury and hold a formal inquest as required by law. But if there be, in his judgment, no apparent or probable blame against living persons as to the death he shall issue a burial permit and all further inquiry or formal inquest shall be dispensed with. Provided, however, that the coroner of Charleston County is authorized and empowered to issue a death certificate.

HISTORY: 1962 Code Section 17-91; 1952 Code Section 17-91; 1942 Code Section 1097; 1932 Code Section 1097; Cr. P. '22 Section 184; Cr. C. '12 Section 1027; Cr. C. '02 Section 729; 1894 (21) 825; 1964 (53) 2367.

SUBJECT TO THE PROVISION OF §17-7-20
TO 17-7-40 "EVERY CORONER, WITHIN THE CO-
-UNTY FOR WHICH HE HAS BEEN ELECTED OR
APPOINTED, MAY TAKE INQUEST OF CASUAL
OR VIOLENT DEATHS WHEN THE DEAD BODY
IS LYING WITHIN HIS COUNTY.

IT IS THE DUTY OF THE CORONER IN ALL
CASES TO HOLD THE PRELIMINARY INVESTIG-
ATION AND HE HAS NO DISCRETION TO DI-
SPENCE WITH IT

17-7-100
THE WARRANT TO SUMMON THE JURY SHALL
BE IN THIS FORM

TO THE SHERIFF (OR TO ANY OTHER CONSTABLE) OF
CLARENDON COUNTY GREETINGS

THESE ARE TO REQUIRE YOU IMMEDIATELY, ON
RECEIPT HEREOF TO SUMMON AND WARN VER-
BALLY OR OTHERWISE FOURTEEN MEN OF SAID
COUNTY TO BE AN APPEAR BEFORE ME THE CORON-
ER OF CLARENDON COUNTY AT _____ WITHIN THE
SAID COUNTY BETWEEN THE HOURS OF AND _____
O'CLOCK ON THE _____ DAY OF _____ THEN AND
THERE TO INQUIRE UPON THE VIEW OF A BODY
OF A CERTAIN PERSON THERE LYING DEAD, HOW
HE CAME TO HIS DEATH FAIL NOT HEREIN AS
YOU WILL ANSWER THE CONTRARY AT YOUR
PERIL

GIVEN UNDER MY HAND AND SEAL AT _____
this _____ day of _____ AD _____ By ME AB-LS
CORONER FOR CLARENDON COUNTY

PURSUANT TO 17-7-240 THE VERDICT FORM
OR PRESENTMENT OF THE GRAND JURY OF
INQUEST

THE JURY HAVING VIEWED THE BODY HEARD
THE EVIDENCE AND MADE INQUIRY INTO THE
CAUSE AND MANNER OF DEATH SHALL RENDER
THEREON TO THE CORONER UNDER THEIR HANDS
AND SEALS IN THE MANNER FOLLOWING WHICH
SHALL PASS BY INDENTURE INTERCHANGEABLY
BETWEEN THE CORONER AND THE JURY THAT IS
TO SAY

SOUTH CAROLINA
COUNTY OF CLARENDON

AN INQUISITION INDENTED TAKEN AT _____
IN CLARENDON COUNTY THE _____ DAY OF _____ AD
BEFORE AB CORONER (OR MAGISTRATE ACTING AS
CORONER) FOR SAID COUNTY.

UPON VIEW OF THE BODY OF EF OF _____
THEN AND THERE BEING DEAD BY OATHS OF (NAME
OF JURORS) BEING A LAWFUL JURY OF INQUEST
WHO BEING CHARGED AND SWORN TO INQUIRE
FOR THE STATE OF SOUTH CAROLINA WHERE AND
BY WHAT MEANS THE SAID (INSERT NAME OF DECEA
SE) CAME TO HIS DEATH UPON THEIR OATH DO
SAY THAT (INSERT HOW, WHERE AT WHAT TIME AND BY
WHAT INSTRUMENT THE DECEASED WAS KILLED)

WARRANT IN CASE OF WILFUL KILLING

17-7-610

IF THE FINDING OF THE INQUEST BE WILFUL KILLING BY THE HANDS OR MEANS OF ANOTHER THE CORONER SHALL FORTHWITH ISSUE HIS WARRANT DIRECTED TO THE SHERIFF OR TO ONE OR MORE CONSTABLES FOR THE COUNTY FOR ALL PERSONS IMPLICATED BY SUCH FINDING.

COMMITMENT OF PERSON NAMED IN WARRANT
OFF WILFUL KILLING

17-7-680

UPON THE RETURN OF SUCH WARRANT AND THE ARREST OF THE PERSON NAMED THEREIN THE CORONER SHALL PROCEED TO COMMIT HIM OR THEM BY WARRANT IN THE FOLLOWING FORM

TO THE SHERIFF OR TAILOR OF CLARENDON COUNTY YOU ARE HEREBY COMMANDED AND REQUIRED TO RECEIVE AND KEEP IN CLOSE CONFINEMENT IN THE JAIL OF YOUR COUNTY _____ CHARGE BEFORE ME BY THE FINDINGS OF A JURY OF INQUEST HELD ON THE _____ DAY OF _____ AT _____ (INSERT FINDINGS) UNTIL HE OR THEY SHALL BE DELIVERED BY DUE COURSE OF LAW HEREIN FAIL NOT.

GIVEN UNDER MY HANDS AND SEAL THIS _____ DAY OF _____

AS CORONER (LS) OR MAGISTRATE ACTING AS CORONER

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY THAT I MARCUS A JOSEPH HAVE THIS DAY CAUSED A PETITION TO BE SERVED UPON THE RESPONDENTS BY PLACING THE SAME IN THE UNITED STATES MAIL HERE AT KIRKLAND CORRECTIONAL INSTITUTION ON THIS 13th DAY OF May 2021

RECEIVED
MAY 17 2021
SC Court of Appeals

PERSONS SERVED
ATTORNEY GENERAL
PO BOX 11549
COLUMBIA SC 29211

Marcus A Joseph
MARCUS A JOSEPH 147764
PETITIONER

SWORN TO And Subscribe before me
this 13 day of May 2021

NOTARY PUBLIC FOR SOUTH CAROLINA
My Commission Expires 4/4/2027

CHELSEA N. JOHNSON
Notary Public, State of South Carolina
My Commission Expires 4/4/2027



RECEIVED

MAY 17 2021

SC Court of Appeals

DEAR CLERK

PLEASE FIND FOR FILING

(1) MOTION TO VACATE WITH
ATTACHED EXHIBITS AND SAMPLE FORMS
AND BY THIS LETTER I HEREBY GIVE NOTICE
THAT I HAVE CAUSED THE SAME TO BE SERVED
UPON THE RESPONDENTS

THANK YOU
MARCUS A JOSEPH
PETITIONER

MARCELS A JOSEPH 147784
KIRKLAND Correctional Inst
4344 Broad River Rd
Columbia SC 29210
Unit F.E. B 162



US POSTAGE METER BOWEN
ZIP 29210 \$ 001.40⁰
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SC Court of Appeals

To: CLERK OF COURT
SOUTH CAROLINA Court of Appeals
P.O. Box 11829
Columbia South Carolina 29217

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MAY 14 2021
MAIL ROOM