

The State of South Carolina  
In Supreme Court

Appeal From Richland County  
Court of Common Pleas  
For The Fifth Judicial Circuit  
Jocelyn Newman Chief  
Administrative Judge

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MAY 26 2022  
S.C. SUPREME COURT.

Appellate Case No. 2022-000355

State of South Carolina, Respondent  
v.  
Matthew Jamison #267844 Applicant

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The Appellant 60(a) and (b)  
Motion

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The appellate pursuant to rule 60 of the S.C. Rules of Civil Procedure moves the court for relief from judgment. In support of the motion the appellate shows the following to the court: This Court entered a judgment against appellate on May 17 2022 Received May 20, 2022 Dismissing notice of appeal.

The judgment is void due to Judge Newman order being based on untimely, successive to applicant previous PCR application, But noting applicant is argues ineffective assistance of 1<sup>st</sup> and 2<sup>nd</sup> PCR counsel, ineffective assistance of appeal counsel, and violation of SC. Constitution and rules. which he did not argue previous PCR that was about plea counsel. His 2<sup>nd</sup> / appeal counsel told him back in 2014 that he can ~~not~~ argue on PCR counsel but at that time he was still on appeal. So if it's a rule that an applicant may file a PCR on PCR counsel. This court are overlooking material of facts. Appellant substantive right have suffered prejudice because the decision is in violation of constitution or statutory provisions, in excess of the statutory authority of the agency made upon unlawful procedure affected by other error of law, clearly erroneous in view of the reliable, probative and substantial evidence on the whole record, and arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted

exercise of discretion. Pursuant to rule 60 (B)  $\pm$  the appellant is therefore entitled to relief from judgment.

### Conclusion

Appellant respectfully prays that this court enter an order setting aside judgment after looking at the whole record on date in argument

Matthew Jamison



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