

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

THE STATE

RESPONDENT

V.

TERRELL MCCOY

PETITIONER

PCR APPEAL (SCACR 243)

Deandra Jefferson, Circuit Judge

Order No. 2019-00-1193

RECEIVED

JUN 08 2022

S.C. SUPREME COURT

PETITION FOR REHEARING
ATTACHMENTS

(1) PETITIONER declares under Penalty of Perjury that I placed ~~2~~ copies of this attachment concerning SCACR Rule 242(1). Nowhere in PCR Judge's order did she rule Petitioner waive his right to appeal.

(2) THE Petitioner did not waive his right to appeal. See White v. State 263, S.C. 110, 208 S.C. 2d 35 (1974).

LEGAL MAIL ROOM

(3) THIS COURT HAS GRANTED, VACATED, & REMANDED THIS CASE BECAUSE PCR JUDGE ORDER FAILED TO MAKE SPECIFIC FINDING OF FACT AND STATE EACH CONCLUSION OF LAW. SEE SCACR RULE 242 (B) (1) (4) (5)

(4) THERE ARE NOVEL QUESTIONS OF LAW. WAIVER TRIAL COUNSEL CAN GIVE A CRIMINAL DEFENDANT LEGAL ADVICE TO WAIVE HIS 6TH AMENDMENT RIGHT TO EFFECTIVE ASSISTANCE OF COUNSEL GUARANTEED BY Gideon v. Wainwright / Strickland v. Washington.

(5) WHERE SUBSTANTIAL CONSTITUTIONAL ISSUES ARE DIRECTLY INVOLVED.

(6) WHERE A FEDERAL QUESTION IS INCLUDED AND THE DECISION OF THE COURT OF APPEALS CONFLICTS WITH A DECISION OF THE UNITED STATES SUPREME COURT. ALSO SEE Brady v. Maryland, IN THIS PETITION FOR REHEARING MARKED ON 5-31-22 TO THIS COURT, PETITION CONFIRMS THE EXISTENCE OF MATERIAL EVIDENCE, PETITIONER REQUESTED BEFORE TRIAL AND WAS SUPPRESSED BY THE STATE WHILE IN THEIR POSSESSION. THE EVIDENCE CONTRADICTS THE STATE PROSECUTION EVIDENCE AND EXONERATES PETITIONER. PETITIONER HAS ALSO SENT A COPY OF THE AFFIDAVIT TO THE SOLICITORS OFFICE PURSUANT TO SCACR 407

SEE PETITIONER'S PETITION FOR REHEARING FOR REVIEW PURSUANT TO SCACR RULE

242 (d) THE APPENDIX HAS BEEN FILED IN THIS COURT UPON TRANSFERRED TO THE COURT OF APPEALS UNDER 243(L)

6-2-22

J. Mull

RECEIVED

JUN 08 2022

S.C. SUPREME COURT

MAIL ROOM
MAIL ROOM

Terrell McCoy, 256670
MCI F4175
386 Redemption Way
McCormick SC 29899

SCDC
JUN 06 2022
MAIL ROOM

2921181390

AUGUSTA GA
06 JUN 2022 PM



The Supreme Court of SC
Daniel Shearouse, Clerk of Court
Post office Box 11330
Columbia SC 29211



