

The Supreme Court of South Carolina

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May 23, 2013

Mr. Dwayne Frederick, #288077
Lee Correctional Institution
990 Wisacky Highway
Bishopville, SC 29010

RE: Frederick v. State, 2012-CP-40-06909
Appellate Case No. 2013-001105

Dear Frederick:

This office can find no record of receiving a notice of appeal in the above case. For this matter to proceed, it will be necessary for you to provide the following within fifteen (15) days of the date of this letter:

- (1) A copy of the notice of appeal;
- (2) A proof of service showing that the notice of appeal has been timely served on opposing counsel;
- (3) A copy of the order(s) to be challenged on appeal (be sure to include the final order and any conditional order of dismissal);
- (4) A motion to allow the late filing of the notice of appeal with this Court (you apparently only filed the notice of appeal with the circuit court), and,
- (5) If the circuit court determined that this action is barred as being successive and/or as being untimely under the statute of limitations, a written explanation as to why this determination was improper under Rule


243(c) of the South Carolina Appellate Court Rules. This explanation must contain sufficient facts, argument and citation to legal authority to show that there is an arguable basis for asserting that the determination by the lower court was improper. The failure to make a sufficient showing may result in the dismissal of this matter.

This case has been assigned the appellate case number that appears above. Please use this number on all future correspondence relating to this matter.

All parties to this matter are advised that all filings must comply with the requirements of Rule 267 of the South Carolina Appellate Court Rules (SCACR). The SCACR are available online at www.sccourts.org/courtreg. Additionally, any filings submitted by counsel admitted in South Carolina must include counsel's bar number.

The attention of the parties is directed to the order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. The order can be found at www.sccourts.org/courtOrders/HTMLFiles/2007-08-13-02.htm. Please note that the responsibility for insuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office will *not* review filings for redaction or to determine if materials should be sealed.

Sincerely,

A handwritten signature in black ink, appearing to read 'Daniel E. Shearouse', with a long horizontal flourish extending to the right.

Daniel E. Shearouse

cc: Office of the Attorney General